

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 24

October 15, 2013

SUBJECT: FREE TIME - OFFICERS - RENAMED AND REVISED;
DAILY SIGN IN SHEET; OVERTIME DEPARTMENT
RESPONSIBILITIES; AND SMOKING POLICY - REVISED

PURPOSE: This Order renames and revises Department Manual Section 3/702.20, *Free Time - Officers*, to *Meal Break - Officers*. This Order also revises Department Manual Sections 3/705.05, *Daily Sign In Sheet*, 3/708.02, *Overtime Department Responsibilities*, and Section 1/210.65, *Smoking Policy*, to include the updated general provisions consistent with current Memorandum of Understanding, effective July 1, 2011.

PROCEDURE: Attached to this Order are Department Manual Sections 3/702.20, *Meal Break - Officers*, 3/705.05, *Daily Sign In Sheet*, 3/708.02, *Overtime Department Responsibilities*, and 1/210.65, *Smoking Policy*, with the revisions indicated in italics.

AMENDMENTS: This Order renames and revises Section 3/702.20, and revises Sections 3/705.05, 3/708.02, and 1/210.65 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, will review this directive and determine whether an audit or inspection will be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

Attachment

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702.20 MEAL BREAK – OFFICERS: Officers assigned to divisions having an established roll call and training period *may take one 30 minute meal break during their shift. During this break, they must remain clear and available for dispatch and must interrupt their purchase and/or meal if called upon. Their status must be “Clear.” Uniform personnel must not extend the disposition of a radio call or go Code 6, in order to sit down and eat a restaurant meal.*

Sworn administrative/investigative personnel, who do not have established roll call periods may eat at their desks and work during the designated 30 minute time period, in order to not extend their watch. Sworn administrative/investigative personnel who drive/walk to a location to pick up food or sit in a restaurant for a meal must extend their watch by the amount of time (including drive/walk time) taken for that meal.

Time for events attended by sworn administrative/investigative personnel, such as luncheons, must be at the discretion of the commanding officer. Sworn administrative/investigative personnel, who opt to have a work-related lunch meeting at a restaurant or location outside the office, must obtain prior approval from their commanding officer to have that meeting considered work and not a meal break.

Personnel in Uniform. Sworn personnel are *required to remain in full uniform during their meal break.*

Disposition of City Vehicle. During the meal break periods, sworn personnel *must* park City vehicles at a *location* within the geographic division boundaries to which they are assigned to ensure a prompt response for a request or call for service.

Exception: Sworn personnel may, at the approval of their Watch Commander, park their assigned City vehicles at *any other location during a meal break.*

705.05 DAILY SIGN IN SHEET. Sworn administrative/investigative personnel who choose to extend their watch hours to take a meal break, *must* document the time of their meal break as well as their start and end-of-watch times using the **Daily Sign In Sheet, Form 15.19.00.**

Department employees (sworn and civilian) *must only* use the Daily Sign In Sheet, Form 15.19.00. The use of any improvised sign-in/sign-out sheet is not permitted. Employees who complete daily activities reports (e.g., Daily Field Activities Report, Form 15.52.00; Sergeant’s Daily Report, Form 15.48.00; or Watch Commander’s Daily Report, Form 15.80.00) *must* use these forms to document the time of their meal break.

Employee’s Responsibilities. Department employees who are required to complete the Daily Sign In Sheet *must*;

- Complete all of the required boxes properly on the Daily Sign In Sheet for each working day;
- Accurately document their actual start-of-watch and end-of-watch times;
- Accurately document their meal break, if applicable in the “Activity” box, including the “Out” and “In” times;

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- Indicate their destination/reason in the “Activity” box, including the “Out” and “In” times. If a *sworn employee* leaves their primary destination, the employee *must* notify Communications Division or their supervisor of any subsequent destinations; and,

Note: The destination *must* be an address or the name of the destination (e.g., 304 South Broadway, Hollenbeck Station, USCMC Hospital, or Elysian Park Academy).

- Phone-in to their supervisor when out of the office, **every two hours**, to update their status.

Note: At the discretion of the commanding officer or his/her designee, the phone-in and the duration of the time requiring a phone-in may be modified.

Deployment Planning System User’s Responsibilities. Deployment Planning System (DPS) Users or DPS Timekeepers *must* be responsible for the following:

- Ensure that the Daily Sign In Sheet is accurate and made available prior to the start of each employee’s workday;
- Ensure that the Daily Sign In Sheet is prepared for each day of the deployment period; and,
- Ensure that the Daily Sign In Sheet is completed, filed and the information is transferred to the Daily Worksheet in the DPS, in a timely manner.

Supervisor’s Responsibilities. Supervisors *must*:

- Monitor the Daily Sign In Sheet for proper documentation and completeness;
- Ensure that the employee’s *meal break* is documented on the Daily Sign In Sheet, if applicable;
- Determine whether the employee inadvertently omitted *his/her meal break on the Daily Sign In Sheet*. *If a meal break is omitted, promptly ensure the time is documented on the Daily Sign In Sheet*;
- *Ensure an employee taking a meal break properly accounts for such time on the Daily Sign In Sheet (e.g., extending End of Watch, submitting a deduction, or requesting vacation)*;
- Document the status, location, and the time the phone-in was made by the employee in the “Activity” box. The supervisor *must* also initial his/her name and serial number in the “Activity” box; and,
- Document any revisions to an employee’s work schedule on the Daily Sign In Sheet. The supervisor shall also initial his/her name and serial number next to any change.

Commanding Officer’s Responsibilities. Commanding officers *must* be responsible for ensuring that the Daily Sign In Sheet is properly completed, as mandated by the *Fair Labor Standards Act* (FLSA).

708.02 OVERTIME DEPARTMENT RESPONSIBILITIES *Employee’s Responsibilities.* No work may be done outside the employee’s scheduled work hours unless approved in advance by his or her immediate supervisor.

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Exception: Court appearances (including "on-call court") and emergency situations requiring immediate law enforcement intervention do not require pre-approval.

Employees *must* not perform Department duties outside scheduled work hours without ensuring the following:

- Advise a supervisor of overtime status as soon as possible, but in no event later than the end of the employee's *End of Watch* (EOW) for that day;
- Ensure that the Daily Field Activities Report, Form 15.52.00, Daily Sign-In Sheet, *Form 15.19.00*, Sergeant's Daily Report, Form 15.48.00, or Watch Commander's Daily Report, Form 15.80.00, accurately records actual (not scheduled) start of watch, *meal break*, and EOW time;
- Complete an Overtime Report, Form 02.24.00, as soon as practicable (e.g., as soon as the emergency allows, EOW, etc.); and,

Note: If court overtime is worked when an employee's next scheduled work day occurs after the end of the respective pay-period, the employee *must* telephonically report overtime the same day to a supervisor at his or her division and include the compensated time for making a telephonic report.

- Immediately report any employee, regardless of rank or title, who attempts to pressure or coerce an employee to work overtime without compensation, to the authority in their chain of command above the source of the pressure or coercion, or to Professional Standards Bureau.

Supervisor's Responsibilities. Supervisors must ensure that a subordinate is compensated for all legitimate overtime, whether pre-approved or not. If an employee violates the Department's overtime policy or procedures, a supervisor **cannot** deny the employee compensation. Rather, the supervisor *must* ensure that the employee submits an Overtime Report and the supervisor **shall** counsel (or when appropriate, initiate disciplinary action against) the employee. All violations of the Department's FLSA policy or procedures *must* be documented.

Note: The *FLSA* obligates the Department to enforce its overtime policy and procedures. Any discipline resulting from an employee's failure to adhere to the Department's policy and procedures is not retaliation for requesting overtime compensation. Rather, such discipline is for violating established Department policy and procedures.

In an effort to ensure employees comply with Department policy and procedures, supervisors *must*:

- Monitor employees (to the extent reasonably possible) to make sure they are not working outside their scheduled work hours without compensation;
- Monitor employees to ensure timely submission of Overtime Reports for all overtime worked; and,
- If a watch commander or supervisor believes he or she needs to report to work early to prepare for roll call, he or she *must* obtain prior approval from their immediate supervisor. If a watch commander or supervisor receives approval to report early for a

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shift, his or her work hours should be adjusted, if possible, so that they remain consistent with his or her total number of scheduled work hours, barring exigent circumstances.

Commanding Officer's Responsibility. Commanding officers *must* ensure employees adhere to the procedures *and* are strongly encouraged to conduct audits of their command and document any violations of the Department's FLSA policy.

Bureau Commanding Officer's Responsibility. Bureau commanding officers *must* ensure that all violations of the Department's FLSA policy or related procedures are promptly documented, investigated, and appropriate action is taken.

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210.65 SMOKING POLICY. Department employees, both sworn and civilian, *must* not smoke any type of tobacco product in any enclosed place of employment, including City owned/operated vehicles.

Uniformed sworn employees *must* not smoke tobacco products or hold any pipe, cigar, or cigarette, except as may be required during the course of their duties, while in public view. For the purpose of this policy, uniformed officers *assigned to field duties* or who, with the approval of their commanding officer, are representing the Department in an activity for which the uniform is being worn (Manual Section 3/606.15), are considered on-duty. Plainclothes sworn employees conducting official Department business *must* not smoke any tobacco products while engaged in contact with a citizen or while in a residence or business.

Note: Commanding officers *must* designate an appropriate outdoor location(s) within their commands where employees will be allowed to smoke. Designated smoking areas should not be visible to the general public.

The Commanding Officer, Administrative Services Bureau, is responsible for the Police Administrative Building.